

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JFW

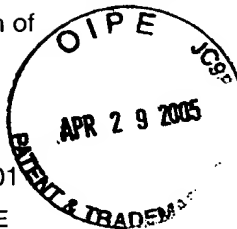
In re Patent Application of

SCHREIBER

Serial No. 09/913,159

Filed: August 10, 2001

Title: VIRAL VACCINE

Atty Dkt. 35-213  
C# M#  
TC/A.U. 1648

Examiner: HILL

Date: April 29, 2005

## ATTACHED:

- (1) Response;
- (2) copy of April 22, 2005 Office Action;
- (3) Copy of June 4, 2003 post card;
- (4) Copy of Correspondence Address Indication Form filed June 4, 2003;
- (5) copy of pages 70 and 71 of originally-filed application from undersigned's file; and
- (6) copy of 10 pages of originally-filed claims (AMENDED SHEET translation)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☒ **Correspondence Address Indication Form Attached.**

**Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)  
One Month Extension \$120.00 (1251)/\$60.00 (2251)  
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)  
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)  
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/ \$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: \$

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
BJS:

NIXON & VANDERHYE P.C.  
By Atty: B. J. Sadoff, Reg. No. 36,663

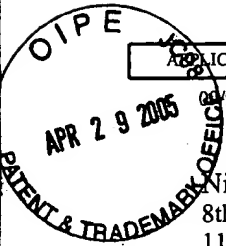
Signature: \_\_\_\_\_



BJS 35-213

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

04/913,159

08/10/2001

Michael Schreiber

35-213

3633

7590

04/22/2005

EXAMINER

HILL, MYRON G

Nixon & Vanderhye

8th Floor

1100 North Glebe Road

Arlington, VA 22201-4714

ART UNIT

PAPER NUMBER

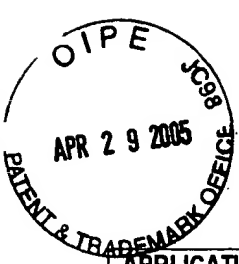
1648

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED 120

CLT/MATTER # 35-213  
MAIL DATE 4/22/05  
DUE DATE May 22, 2005  
FINAL DEADLINE Oct 22, 2005  
DOCKETED BY Tm/BK

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
--------------------------------	-------------	---	---------------------

EXAMINER
----------

ART UNIT	PAPER
----------	-------

20050414

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on 12 January 2005 is not fully responsive to the prior Office action because the amendment to the specification required for sequence compliance is directed to page 70 but the specification contains only 58 pages. It is also noted that the IFW file contains two pages that describe the figures (dated 8/10/01, labeled "SPECIFICATION" in IFW) and there does not appear to be a direction on where these pages are to be inserted. Applicant is requested to check IFW (PAIR). Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Any inquiry concerning this communication should be directed to Myron G. Hill at telephone number 571-272-0901.

*James C. House*  
4/16/05

JAMES HOUSEL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1800

*WJH*  
4/11/05



Serial No.: 09/913,159  
Inventor/s: SCHREIBER  
Title: VIRAL VACCINE  
C#/M#: 35-213  
Atty: B. J. Sadoff  
Date: June 4, 2003

XX Response

☒ Address Indication Form

\$ Fee (Check) - Pre-Bill

\$930.00 Fee (Check) - Non Pre-Bill

930.00

~~\$0.00~~ Total Fee Enclosed

Other: Submission; English translation of the  
International Preliminary Examination Report; Three-  
month Extension Fee

